

25. 24.04.2025
Court
No.34. (Pritam)
(Rejected)

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (DB) 794 of 2025

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973 / Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, arising out of **Dholahat** Police Station Case No.**540/2022** dated **01.12.2022** under Sections **498A/302/34** of the IPC, 1860.

And

In the matter of: - **Sujauddin Khan.**

.....petitioner.

Mr. Supriyo Shasmal.

...for the petitioner.

Mr. Anand Keshari,
Ms. Sima Biswas.

....for the State.

The petitioner is in custody for more than two years and prays for bail.

Learned counsel for the petitioner submits that though the post-mortem report indicates several injuries in the person of the victim, the inquest report does not reflect any injury at all. The petitioner is the husband of the victim and had a strained relation with the *de-facto*/victim's father to whom he had granted loan, which was not being repaid. One of the children of the victim has adduced evidence wherein she has exonerated the petitioner.

Learned advocate for the State opposes the prayer and submits that vulnerable witnesses, including the daughter of the victim are yet to be examined. There is sufficient incriminating material against the petitioner connecting him to the alleged offence.

I have considered the material on record. It appears that the petitioner is the husband of the victim. One of the children of the victim has adduced evidence before the learned trial court but the other child is yet to be examined. There may be possibility of influencing and/or intimidating vulnerable witnesses if the petitioner is granted bail at this stage.

Considering the material available in the case diary implicating the petitioner in the alleged offence, prayer for bail is rejected at this stage.

CRM (DB) 794 of 2025 is disposed of.

The learned trial court is directed to take steps for examination of CSW-7, namely, Sultana Khatun at the earliest.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)